

CITY OF MUSKEGON
ZONING BOARD OF APPEALS
REGULAR MEETING
MINUTES

October 12, 2004

Vice-Mayor B. Larson called the meeting to order at 4:02 p.m., and roll was taken.

MEMBERS PRESENT: C. Kufta, S. Schiller, E. Fordham, J. Clingman-Scott, B. Larson

MEMBERS ABSENT: R. Hilt, excused; R. Schweifler, excused.

STAFF PRESENT: L. Anguim, M. Cameron, H. Griffith

OTHERS PRESENT: P. LeBlanc, LSL; T. Sadoni, Sign Designer for Hackley Hospital.

APPROVAL OF MINUTES

A motion that the regular meeting minutes of August 10, 2004, was made by J. Clingman-Scott, supported by E. Fordham and unanimously approved.

S. Schiller arrived at 4:03 p.m.

PUBLIC HEARINGS

Hearing; Case 2004-33: Variance request from size, height and number requirements of the Campus Signage requirements at 1700 Clinton Street by Hackley Hospital. M. Cameron presented the staff report. The commission members were provided with the Campus Sign zoning language. The subject parcel boundaries are Laketon Avenue on the south to Southern Avenue on the north and Peck Street on the west to Hoyt Street on the east. The property is zoned MC, Medical Care and is a conforming use for this zone. The Zoning Ordinance was amended in February of 2003 to allow for additional signage and increased size of signage in a campus environment, recognizing the special needs of a large campus environment. In addition an allowance for a campus "map" sign(s) was included in the amendment at that time. The applicant is requesting a total of 25 directional signs of 5 square feet each at a proposed height of 8 feet each, to be located both on and off the campus as indicated in the included proposal. Of the proposed directional signs it appears that 15 are located in the public right of way and will require city approval to be installed but not a variance. The site currently has a total of 24 directional signs on and off site of varying height and size. Under current ordinance requirements the subject property is allowed 14 directional signs on site, each of which may be up to 6 square feet in area and a maximum of 4 feet in height. The remaining 10 proposed directional signs, if located on campus property, would require a variance from the four foot height limitation for directional signage. A total of three entry identification signs to be located at the new entrance on Laketon Avenue are being proposed by the applicant. A free standing sign of 124 square feet in area and 18 feet in height, located in the new median, with the remaining two signs of 32 square feet each being attached to the brick fences adjacent to the entranceway. Current ordinance language allows for one monument, or pole sign, to be permitted per entrance/exit to

the campus proper not to exceed 32 square feet and must be no higher than 15 feet. In addition, the zoning ordinance does not allow for signage to be placed upon fences. Staff is concerned with the overbearing appearance of the freestanding sign. While the sign is attempting to fill the needs of both an entranceway sign and a directional sign, we question its need to be as large or tall as proposed. In the exhibits provided by the applicant, it shows the proposed sign in its approximate location. The depiction shows the central location of the campus identifier and logo, which is very large and will probably, be the focal point of motorists driving to the facility. The problem may lie in that the directional portion of the sign indicating the emergency room entrance would very possibly be missed, due to it being nearly eighteen feet in the air and severely overshadowed by the very large logo and campus identifiers, which are more strategically located to the vision angles of the motorists. This could cause confusion for motorists and make it more difficult to find the proper emergency room entrance, which is further down Laketon Avenue and then north on Peck Street. Staff is of the opinion that a variance will be required to allow one free standing sign that exceeds our ordinance size and height requirements for entranceway signs and to allow 2 signs of 32 square feet each, which will be fence mounted at the same entrance/exit. The applicants sign proposal package includes four building identification monument signs of 24 square feet each. Staff agrees that these four proposed signs are allowed under the Campus Signage section of the sign ordinance and no variance is required. The applicant is proposing ten map signs of 8 square feet each with a height of 8 feet. Staff concurs that the Campus ordinance allows one campus "map" sign per parking area of 10,000 square feet or more, interior to the campus itself, not to exceed 24 square feet. When the current amended sign language was adopted, staff did not place a height limit on map signs in the interior of the campus. However there is a maximum height limit of 15 feet on any map signs located at an entranceway. The applicant has not provided the total square footage of all parking areas on the campus. Based upon the applicants statement in the proposal that there could be "potentially 21 signs with a total area of 504 square feet" and the knowledge of the large amount of parking areas on the campus, staff believes that no variance is required for these proposed signs. Staff will require the applicant to provide total square footage of all parking areas when submitting for permits so we can verify the number of allowed signs. The signage package proposes one "Point of Presence" sign to be located at the corner of Peck Street and Laketon Avenue. The proposed sign is 124 square feet in area and 18 feet in height. There is currently a sign at this location, which is 129 square feet in area and 15 feet in height. Staff concurs with the applicant's statement that a substantial conflict within the current ordinance language exists, which was recently brought to our attention. The reference in the campus ordinance language under item 10 c. to "Table II", should have been deleted during the amendment creation process, and it should have made reference to item 10g. Sub item 3 for the requirements of a point of presence sign. Currently that ordinance language states: "Signs identifying the major point of presence of the campus may not be larger than forty-eight square feet (48) and must be no higher than fifteen (15) feet". Staff feels that this sign will require a variance to exceed 48 square feet in size and 15 feet in height. Staff will initiate a request to correct this language in the future. The signage proposal also includes a substantial number of signs classified as "regulatory or informational" in nature. Staff felt they should be included in the variance request, since our current sign ordinance language does not differentiate this type of sign from any other type of freestanding sign. Staff believes that signage of the nature represented by new sign number thirty three (33), a parking area identification sign, are beneficial to both motorists and pedestrians in a campus environment. The Proposal contains thirteen of this type of sign, one of which will require historic district approval. We hope to define and include this type of sign in further corrections or updates to the campus sign language.

The proposed no smoking regulatory signs are not addressed by our current ordinance language and could be considered as a freestanding sign. It is not known if the signs are required under state law. The proposal contains a request for twenty-two of this type of sign. Staff believes that due to current ordinance language requirements, a variance is necessary for these signs. Staff does not have any objections to the signs, because they could help with litter control on the site, if reasonably used and carefully placed. The proposal includes a request for installation of building letters indicated on the "Proposed New Signs" table as item number seven and no variance is required for this signage. Staff recognizes that campuses are unique situations, however staff feels that there is a fine line where 'enough' signage becomes 'too much' signage. This can sometimes clutter the property and confuse motorists and pedestrians rather than guide them. Staff also feels that bigger signage is not always better for the motorists, pedestrians and neighbors. There is currently very little wall signage in place on any of the buildings. The locations, sizes and heights of all proposed signs are included in the attached materials. Staff has not received any phone calls or letters regarding this case.

E. Fordham asked Mike to clarify which signs Hackley Hospital needed a variance for. M. Cameron stated that they would need a variance for the height of the directional sign, the freestanding sign on Laketon is larger in size, the signs on the fences, (which is prohibited in the ordinance) and the parking area signs aren't addressed in the ordinance. B. Larson stated that there has been a lot of variance requests for signs from Baker College, MCC, as well as, Hackley Hospital. He suggested that there might need to be some changes to the zoning language. M. Cameron stated that it was possible that the growth of the campus facilities were underestimated. J. Clingman-Scott asked if the wall sign was included in this request. M. Cameron stated that they didn't need a variance for the wall sign. P. LeBlanc stated that Hackley Hospital is undergoing a major development. Many people go to the hospital that aren't familiar with where everything is. Hence, the need for the signage. Essentially, the plan is to replace what is there for the most part. The ordinance would allow them 1,100-sq. ft. of signage, but all together, the signage proposed would be about 600 sq. ft. The reason for the taller directional signs (ordinance allows for 4 ft. in height) is due to the fact there is on-street parking in this area and the vehicles would block the directional signs, so they are proposing the taller signs. The signs on the fence would be etched into the fence, so they wouldn't be just a sign that is connected to it. They would be something permanent. He stated that staff had asked them to look at changing the size of the freestanding sign. They are proposing a 17-ft high sign and they will be raising the brick pedestal by 10-12 inches. Currently the sign at the corner of Laketon and Peck is 129 sq. ft. and 15 ft. tall. The proposed sign would be 109 sq. ft. and 17 ft. high. They viewed the no smoking signs to be exempt due to the fact they considered them to be just like a garage sale sign or no trespassing sign. E. Fordham asked about the no parking sign at the professional building. T. Sadoni stated that they viewed this as a regulatory sign. There would also be handicap signs. E. Fordham asked the chairman who would determine if a variance were needed. S. Schiller stated that the ZBA commission members would decide that.

A motion to close the public hearing was made by C. Kufra, supported by B. Larson and unanimously approved.

The following findings of fact were offered: There are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or class of uses in the same zoning

district because this is a hospital which has many entrances and serves many purposes. The dimensional variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity because the other campus facilities have also obtained variances for their signage due to the need being so strong. Authorizing of such dimensional variance will not be of substantial detriment to adjacent property and will not materially impair the purposes of this chapter or the public interest because this would help people travelling in the neighborhoods find their way to what they are looking for when it comes to the hospital. The proposed signage also won't detract from the neighborhood. The alleged difficulty is caused by the Ordinance and has not been created by any person presently having an interest in the property, or by any previous owner because the ordinance has contradictory wording in it. It also doesn't take into consideration the need for signage for a campus of this size with this many functions. The alleged difficulty is not founded solely upon the opportunity to make the property more profitable or to reduce expense to the owner because there is an expense for having new signs made and this would help the community and others who are trying to find their way around the campus. The requested variance is the minimum action required to eliminate the difficulty, because they would be allowed to have the necessary signage to better serve their clients as well as the surrounding community.

A motion that the variance to allow: 1) Directional signs eight feet in height, to be located on campus property and placed as indicated on the site plan provided. This variance applies to the number of directional signs that will be on campus property of the total 25 proposed signs. 2) One freestanding entranceway/exit sign, which will be 18 feet in height and 124 square feet in area and two fences mounted signs of 32 square feet each, at the Laketon Avenue drive entrance/exit. 3) One "Point of Presence" sign to be located at the corner of Peck Street and Laketon Avenue which will be 18 feet tall and 124 square feet in area. 4) Thirteen informational parking lot ID signs as proposed. 5) Twenty-two no smoking regulatory signs as proposed, be approved, based on the review standards, was made by J. Clingman-Scott, supported by B. Larson and unanimously approved.

OTHER

1-year time limit on variances S. Schiller asked if there was anyone checking to see if everything that had been approved through a variance was completed within the year. M. Cameron stated that staff does make every effort to make sure it was done. C. Kufra suggested that the applicants would need to send in a letter of completion so staff or the ZBA members wouldn't have to check to make sure everything is done. This would provide for a paper trail. M. Cameron stated that this could be something that would save on staff time.

There being no further business, the meeting was adjourned at 4:45 p.m.

hmg
10/12/04